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# Lotus cc:Mail for Karen Sprecher Keating

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America! We  
came in peace, yet we were handcuffed and rudely treated.  
Today, they are still  
launching  
their rockets.

Destruction, pollution, over-development, theft of our lands,  
and harm to our  
people are  
happening right under your noses and you do nothing. By a  
stroke of a pen via an  
executive  
order your military stole those sacred lands from us. I wish  
that all executive  
orders be  
rescinded and abolished. I also wish a moratorium could be  
issued tomorrow that  
would stop  
all further development on all our islands until a decision  
regarding a  
reconciliation of our  
lands takes place. The word developers has developed into a  
different meaning  
for us...  
destroyers.

Kauai people have not been just sitting back and watching your  
parade go by;  
instead we  
have been educating ourselves, talking to the world through the  
Internet ,  
building strong  
community-based initiatives that helps us to survive, rather  
than wait for  
government help that  
may never come, surviving on our own as best we can as we  
continue to try to  
make some  
sense of all the political garbage that continues to oppress  
us, especially the  
<sup>3</sup> Thou shalt not<sup>2</sup>  
...thou shalt not have access rights to practice customary and  
traditional  
rights, or thou shalt  
not sue the government, you are a ward of the State, or thou  
shalt not vote for  
your own island  
representative for OHA, an agency to your puppet government,  
the State of  
Hawaii. By the  
way, if you think that the Office of Hawaiian Affairs or the  
Dept. of Hawaiian  
Home Lands  
represents us, you are dead wrong. If you think that we are  
agreeable to Senator  
Akaka's trap  
to put an office of Hawaiian Affairs in the Dept. of  
Interior/BIA, you are dead  
wrong again. We  
are not Native Americans, we are not American Indians, we are a

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unique race and  
first  
peoples of these lands.

My voluntary work for the past four years has been facilitating a network of communications. We encourage discussions on land, water, political and culturally sensitive issues throughout our islands, for we strongly believe when you are made aware and are informed on what is going on around you, you are more apt to make better decisions. Networking has been a powerful tool for us in the education, empowerment and the coming together of our communities not only on our island but throughout the State. It has strengthened the bonds established from the sharing of all mana'o (thoughts and ideas). Included in our networking regarding these hearings, has been a dialogue with one whom I consider a great leader in our Independent movement, Dr. Kekuni Blaisdell. You will be hearing from him at your meetings on O'ahu. We support his view that these hearings and the Rice vs. Cayetano case, are diversions and traps that attempt to take our focus away from the core issue, OUR LANDS. To us, reconciliation means, to RECONCILE THE LAND TO THE PEOPLE. Please take that message back to congress.

And if you are here to help us figure out how many zeros are needed on the overdue check for reparations....forget it, you can't afford it. The punitive damages alone is exorbitant! How does one measure over 200 years of America's criminal abuse to us and our lands? If you can't pay us the full sum, why not do this. Pay your debts by continuing your obligatory financial support, with no strings attached, and give US the money and let US manage our own restoration of our ourselves and our lands. Continue to do this until we are able to stand on our own two

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feet. That would be the right thing to do...please take that message back to the President.

We demand an audience with the US State Department to discuss issues regarding our political status, our historic treaties and the purported annexation of our nation, and while we're at it, can we get rid of the disclaimer attached to the Apology Bill that renders it a void document? We hope you will again agree that it is the right thing to do. Please carry this message to your U.S. Secretary of State Madeleine Albright and her people.

If you do not agree with what has been said, so be it. Then there will be no further reason for me to be here. I would be wasting my precious time and yours. If you agree, than I will be looking forward to your next visit to continue our discussion.

By the way, are any of our Kanaka maoli living off island going to have the same opportunity as we have, to participate in this process? About one-third of our people are living on the continental United States. We demand that they be given a chance to speak. And for all the na kupuna, our elders, that I have spoken with who do not want to step forward to speak; I speak for them and relay to you that they too, want to see that you right your wrongs, so their minds may be put to rest without any fears for their children, grandchildren and the generations yet to be born.

Mahalo a nui loa. May we always abide in truth, love and peace and find the justice that needs to prevail in this process of reconciliation. Let the process begin and let it begin today!

Aloha Ke Akua.....Ke Akua pu.

Puanani Rogers and family  
Ho`okipa Network  
P. O. Box 88  
Kapa`a, Kaua`i, HI 96746  
(808) 821-2267

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**AHA HAWAI'I 'OIWI  
P. O. BOX 37396  
HONOLULU, HI 96837**

**TESTIMONY  
OF  
CHARLES ROSE**

**Aloha!**

My name is Charles Rose, I am the chairperson of the **Aha Hawai'i 'Oiwī** (Native Hawaiian Convention). I appear before you in that capacity to inform you that we believe that any reconciliation between the United States of America and the Native Hawaiian people as called for in the Apology Bill of 1993, cannot occur until the Native Hawaiian people have been given an opportunity to choose an entity to represent them.

**No individual, nor any organization, who may appear before you or provide any type of testimony to you, can claim that they speak for the majority of the Hawaiian People.** Any one who does so will be providing you with false testimony. The Native Hawaiians as a people have never chosen any entity to represent us. We have never been asked.

For the United States to recognize any group or organization at this time would be improper. As an example, for the United States to recognize the Office of Hawaiian Affairs or the Department of Hawaiian Homes Lands as the official representative of our people would be wrong.

(2)

Our people need to be given the opportunity to choose for themselves. **That is what the Aha Hawai'i 'Oiwī is all about.**

The Aha Hawai'i 'Oiwī (Native Hawaiian Convention) is in the process of providing the opportunity for the Hawaiian people to finally make the choice. To decide on an entity to represent us. We believe in the people and that the people should choose. Our mission is a simple one **"To propose a form of government to the Native Hawaiian People"**.

At this point, please allow me to provide some background about the Aha Hawai'i 'Oiwī (Native Hawaiian Convention). We trace our roots to 1996, when the Native Hawaiian Vote was held. At that time, a question was posed to the people **" Shall the Hawaiian People elect delegates to propose a Hawaiian government."** Of the people who voted, 73% voted yes.

On January 17, 1999, the 106th anniversary of the overthrow of the Kingdom of Hawai'i, a historic election was held to select delegates for the Native Hawaiian Convention. **This was a first time ever election conducted by Hawaiians for Hawaiians.** The process was inclusive and for the first time, Hawaiians throughout the world were invited to participate. Additionally, incarcerated Hawaiians were invited to participate. In fact, prisoners being held in a Minnesota jail did cast votes. **This was democracy in action at its purest form.**

During the election, delegates were selected by the communities to represent them in eight (8) Moku (districts) throughout the State of Hawai'i. A ninth Moku represents those Hawaiians living outside the State of Hawai'i. Out of an apportionment of 85 delegates, 78 individuals were elected. The delegates elected represent specific communities and include a wide spectrum of

(3)

Hawaiians as it relates, to gender, age, education, occupations, philosophy and experience. They are a very diverse group. I am proud to serve among them.

The delegates have been meeting since February of 1999 and at our last meeting, the Executive Council voted to disseminate three (3) models of a Government for the people to review and consider. **The models are a Independent Nation, a Free Association Nation and a Integrated Nation.** We plan to contact as many Hawaiians as possible to obtain their input and Manao. We welcome the suggestions and recommendations of everyone. In order to do this we need funding assistance. If you are in the position of providing funding help it would be appreciated.

**I suggest and recommend that your first order of business should be to assist us in providing the Native Hawaiian people the opportunity to choose their own form of government.** Once this is done, then the United States can officially recognize the People's Choice.

With your indulgence, I think it is appropriate for me to address the recognition process and offer some suggestions for you to consider.

It is my understanding that the Executive Branch has the authority to recognize indigenous people in every state except Hawai'i. **This rule appears to be discriminatory and should be corrected.** I further understand that the recognition process is contained in that body of law known as Federal Indian Law. Furthermore the procedure is clearly spelled out in 25 CFR 1983.

(4)

I recommend that while we are in the process of choosing the entity to represent us, you explore the possibility of modifying the procedure for recognizing indigenous people contained in 25 CFR 1983, to fit the unique situation of the Native Hawaiians.

Our situation clearly differs from any and all Indian Nations. **We are indigenous people, but we are not Indians.**

At the time of the overthrow, the Kingdom of Hawai'i was recognized as a foreign sovereign by the United States of America and by other nations within the International community. We had entered into treaties with America and other countries. The 1878 treaty involved 55 countries. Our last treaty with America was in 1884. It is my understanding that the Indian Nations only had treaties with America and that Congress ended the treaty process with Indians in 1871.

Chapter 14, Section C 1, page 799 of Felix S. Cohen's Handbook of Federal Indian Law states **"From Western contact in 1778 through most of the nineteenth century, Western nations recognized the monarchy as a foreign sovereign. This is in contrast to the status of tribes within the Americas, whose sovereignty was considered subordinate to "discovering nations".** In other words we were a **foreign sovereign** while Indians were domestic sovereigns.

Additionally, the State of Hawai'i is currently holding the island of Kaho'olawe in trust and shall transfer it to the **sovereign Native Hawaiian** entity upon its recognition by the United States and the State of Hawai'i.



**Our situation is unique and different from the Indian Nations in other areas;**

1. For instance, there is only one Hawaiian Nation as compared to the many Indian Nations throughout America.
2. Native Hawaiians are located throughout Hawai'i and the world. We are not confined in one geographical area like the Indian Nations.
3. The one half blood quantum required in the CFR for recognition is inappropriate for the Hawaiian people. Except of the Hawaiian Homes Act, the Admissions Act and the Office of Hawaiian Affairs Legislation, we do not divide ourselves by blood quantum. This provision needs to be changed.

In capsule form, I have attempted to demonstrate to you our situation as I view it.

I have listed just a few areas that we differ with the various Indian Nations, I am sure that there are more areas that I haven't identified. Hopefully they will be mentioned by others who are providing testimony.

As I have indicated, our situation is unique and requires a different approach. I request that you work with us in **crafting a creative and innovative process** for the United States and the State of Hawaii to recognize whatever Native Hawaiian Government that our people will have chosen.

Finally, as we pursue self-determination, we must acknowledge that there are currently in place many valuable federal entitlement programs that benefit Hawaiians. We must assure that these programs are not diminished in any way. I request that while we are in the process of

(6)

choosing the entity to represent us, you take the necessary steps to assure that the current federal entitlement programs that benefit Hawaiians are protected.

In closing, let me emphasize that we believe that no reconciliation can occur until our people have chosen the Government that they want to represent them. We ask that you join us and assist us in seeing that this objective becomes a reality.

**Aloha!**

A handwritten signature in black ink, appearing to read 'C. Rose', with a long horizontal flourish extending to the right.

Charles Rose, Chairperson  
Aha Hawaii'i 'Oiwī